

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court on January 17, 2014, and, in accordance with 28 U.S.C. § 636(b) served on the parties in this action. Plaintiff filed an objection within the time specified by section 636 (Doc. 19), and Defendant filed a response (Doc. 21).

The court has reviewed the portions of the Magistrate Judge's Recommendation to which objection was made and has made a *de novo* determination, which is in accord with the Magistrate Judge's Recommendation. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Summary Judgment (Doc. 9) is DENIED, Defendant's Motion for Judgment on the Pleadings (Doc. 14) is GRANTED, the final decision of the

Commissioner is AFFIRMED, and this action is DISMISSED WITH PREJUDICE.

/s/ Thomas D. Schroeder
United States District Judge

February 25, 2014